

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, 31, and 36-40 are presently active in this case.

Claims 36-40 are added, Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, and 31 are amended, and

Claims 2, 7, 15, 17, 21, 23, 30, and 32-35 are canceled without prejudice or disclaimer by way of the present amendment. No new matter has been added.

In the outstanding Office Action, Claims 1-35 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 2, 13, 15-17, 21-25, and 31-35 are rejected under 35 U.S.C. § 102(a) as anticipated by Gabber, et al. (U.S. Patent No. 5,961,593, herein “Gabber”). Claims 3-8, 11, 12, 14, and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted, et al. (U.S. Patent No. 6,192,123, herein “Grunsted”). Claim 9 is rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted and further in view of Deng (U.S. Application No. 2002/0097708). Claims 10, 19, and 20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Deng. Claims 26-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Kubota, et al. (U.S. Patent No. 6,480,881, herein “Kubota”).

In regard to the rejection of Claims 1-35 under 35 U.S.C. § 112, second paragraph, Applicant cancels Claims 2, 7, 15, 17, 21, 23, 30, and 32-35 and amends Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, and 31, as suggested by the Examiner. Applicant submits that pending Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, and 31 fully comply with the requirements of 35 U.S.C. § 112, second paragraph, and accordingly request withdrawal of the rejection. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned to identify mutually agreeable language.

In regard to the rejection of Claims 2, 15, 17, 21, 23, and 32-35 under 35 U.S.C.

§ 102(a) as anticipated by Gabber, Applicant cancels Claims 2, 15, 17, 21, 23, and 32-35, rendering the rejection of these claims moot.

In regard to the rejection of Claims 1, 13, 16, 22, 24, 25, and 31 under 35 U.S.C. § 102(a) as anticipated by Gabber, Applicant respectfully traverses the rejection for the following reasons.

To establish anticipation under 35 U.S.C. § 102(a), the Office Action must show that each and every feature recited in the rejected claims is either explicitly disclosed or necessarily presents in Gabber.<sup>1</sup>

Claim 1, as amended, recites a network system comprising, *inter alia*, an information relaying apparatus configured to receive a request for information and a user identifier from the user apparatus. The request does not identify the user apparatus, and the user identifier identifies the user apparatus. The information relaying apparatus is also configured to generate a customer number based on the request. The network system further comprises an information providing apparatus configured to receive the request and the customer number from the information relaying apparatus, to request the information relaying apparatus to establish a communication path between the information providing apparatus and the user apparatus, and to communicate with the user apparatus through the communication path, the communication path being established by the information relaying apparatus.

Gabber does not disclose or suggest at least the above-mentioned information relaying apparatus feature of Claim 1. The outstanding Office Action cites col. 5 line 8-col. 6, line 12; however, the above-mentioned information relaying apparatus feature of Claim 1 is not disclosed or suggested there. Gabber discloses

a proxy system that performs two basic functions: (1) automatic substitution of user-specific identifiers such that server sites (e.g., web sites, junction points, intelligent portal devices, routers, network servers, etc.) within a network are

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<sup>1</sup> MPEP § 2131.

prevented from determining the true identity of the user browsing (accessing, locating, retrieving, reading, contacting, etc.) the sites; and (2) automatic stripping of any other information associated with browsing commands that would allow the server sites to determine the true identity of the user browsing the server sites.<sup>2</sup>

An important aspect of [Gabber] is that the foregoing functions are performed consistently by the proxy system during subsequent visits to the server site (the same substitute identifiers are used on repeat visits to the server site; the server site also cannot distinguish between information supplied by the user and the proxy system, thus the proxy system is transparent to the server site).<sup>3</sup>

It is important to understand that subsequent use of the proxy system by a "same" user to a "same" server site will cause the proxy system to construct (directly or indirectly) and use the same (site-specific) substitute identifiers.<sup>4</sup>

In other words, in Gabber, an information relaying apparatus generates the same customer number for all requests from the same user apparatus directed to the same information providing apparatus. That is, in Gabber, the information relaying apparatus generates a customer number based on information on both the user apparatus and the information providing apparatus; however, the information relaying apparatus does not use the request itself to generate a customer number. On the other hand, in amended Claim 1, the information relaying apparatus is configured to generate a customer number based on a request for information, and the request does not identify the user apparatus. Nowhere does Gabber disclose or suggest an information relaying apparatus configured to receive a request for information and a user identifier from a user apparatus, and then generates a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus, as recited in Claim 1, as amended.

Accordingly, Applicant respectfully submits that the rejection of Claim 1 under 35 U.S.C. § 102(a) should be withdrawn. Independent Claims 13 and 22, although of different

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<sup>2</sup> Column 2, line 59-column 3, line 2 of Gabber.

<sup>3</sup> Column 3, lines 2-8 of Gabber. (emphasis added)

statutory class or of different scope, include recitations similar to those in Claim 1 discussed above. Claims 16, 24, 25, and 31 depend on Claim 13 or 22. For at least the reasons given above with respect to Claim 1, Applicant respectfully requests that the rejection of Claims 13, 16, 22, 24, 25, and 31 under 35 U.S.C. § 102(a) be withdrawn as well.

In regard to the rejection of Claim 7 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted, Applicant cancels Claim 7, rendering the rejection of this claim moot.

In regard to the rejection of Claims 3-6, 8, 11, 12, 14, and 18 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted, Applicant respectfully traverses the rejection for the following reasons.

Claims 3-6, 8, 11, 12, 14, and 18 depend on Claim 1 or 13. As discussed above with respect to Claim 1, Gabber does not teach or suggest each and every element recited in Claim 1. For example, Gabber does not teach or suggest at least an information relaying apparatus configured to receive a request for information and a user identifier from a user apparatus, and then generates a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus, as recited in Claim 1, as amended. Grunsted does not cure these deficiencies of Gabber. For example, even assuming Grunsted could properly be combinable with Gabber, which Applicant disputes, Grunsted does not teach or suggest an information relaying apparatus configured to receive a request for information and a user identifier from a user apparatus, and then generates a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus, as recited in Claim 1, as amended.

In view of the failure of Gabber and Grunsted to teach or suggest all features of

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<sup>4</sup> Column 3, line 65-column 4, line 1 of Gabber. (emphasis added)

Claim 1, Applicant respectfully submits that Gabber in view of Grunsted does not render Claim 1 obvious under 35 U.S.C. § 103(a). Independent Claim 13, although of different statutory class or of different scope, includes recitations similar to those in Claim 1 discussed above. Accordingly, Applicant respectfully submits that Gabber in view of Grunsted does not render Claim 13 obvious under 35 U.S.C. § 103(a) either. Since Claims 3-6, 8, 11, 12, 14, and 18 depend on Claim 1 or 13, Applicant respectfully requests that the rejection of Claims 3-6, 8, 11, 12, 14, and 18 under 35 U.S.C. § 103(a) be withdrawn.

In regard to the rejection of Claim 9 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted and further in view of Deng, Applicant respectfully traverses the rejection for the following reasons.

Claim 9 depends on Claim 1. As discussed above with respect to Claim 1, Gabber in view of Grunsted does not teach or suggest each and every element recited in Claim 1. For example, Gabber in view of Grunsted does not teach or suggest at least an information relaying apparatus configured to receive a request for information and a user identifier from a user apparatus, and then generates a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus, as recited in Claim 1, as amended. Deng does not cure these deficiencies of Gabber and Grunsted.

In view of the failure of Gabber, Grunsted, and Deng to teach or suggest all features of Claim 1, Applicant respectfully submits that Gabber in view of Grunsted and further in view of Deng does not render Claim 1 obvious under 35 U.S.C. § 103(a). Since Claim 9 depends on Claim 1, Applicant respectfully requests that the rejection of Claim 9 under 35 U.S.C. § 103(a) be withdrawn.

In regard to the rejection of Claims 10, 19, and 20 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Deng, Applicant respectfully traverses the rejection for

the following reasons.

Claims 10, 19, and 20 depend on Claim 1 or 13. As discussed above with respect to Claim 1, Gabber in view of Deng does not teach or suggest each and every element recited in Claim 1. For example, Gabber in view of Deng does not teach or suggest at least an information relaying apparatus configured to receive a request for information and a user identifier from a user apparatus, and then generates a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus, as recited in Claim 1, as amended.

In view of the failure of Gabber and Deng to teach or suggest all features of Claim 1, Applicant respectfully submits that Gabber in view of Deng does not render Claim 1 obvious under 35 U.S.C. § 103(a). Independent Claim 13, although of different statutory class or of different scope, includes recitations similar to those in Claim 1 discussed above. Accordingly, Applicant respectfully submits that Gabber in view of Deng does not render Claim 13 obvious under 35 U.S.C. § 103(a) either. Since Claims 10, 19, and 20 depends on Claim 1 or 13, Applicant respectfully requests that the rejection of Claims 10, 19, and 20 under 35 U.S.C. § 103(a) be withdrawn.

In regard to the rejection of Claim 30 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Kubota, Applicant cancels Claim 30, rendering the rejection of this claim moot.

In regard to the rejection of Claim Claims 26-29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Kubota, Applicant respectfully traverses the rejection for the following reasons.

Claims 26-29 depend on Claim 22. As similarly discussed above with respect to Claim 1, Gabber does not teach or suggest each and every element recited in Claim 22. For example, Gabber does not teach or suggest at least means for receiving a

request for information and a user identifier from a user apparatus, the request not identifying the user apparatus and the user identifier identifying the user apparatus, and means for generating a customer number based on the request, as recited in Claim 22, as amended. Kubota does not cure these deficiencies of Gabber.

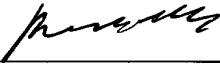
In view of the failure of Gabber and Kubota to teach or suggest all features of Claim 22, Applicant respectfully submits that Gabber in view of Kubota does not render Claim 22 obvious under 35 U.S.C. § 103(a). Since Claims 26-29 depend on Claim 22, Applicant respectfully requests that the rejection of Claims 26-29 under 35 U.S.C. § 103(a) be withdrawn.

New independent Claim 40 is supported by the original specification as filed and thus adds no new matter. Although of different statutory class or of different scope, Claim 40 includes recitations similar to those in Claim 1 discussed above. New dependent Claims 36-39 depend on Claim 1. Accordingly, Applicant respectfully submits that Claims 36-40 are allowable at least for this reason in addition to the novel and non-obvious features recited therein.

In view of the foregoing remarks, Applicant respectfully submits that each and every one of Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, 31, and 36-40 defines patentable subject matter, and that the application is in condition for allowance. Applicant respectfully requests reconsideration and reexamination of this application and timely allowance of the pending claims.

Respectfully submitted,

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